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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Assembly Education Reform Committee  
FROM: Dan Rossmiller, Legislative Services Director  
DATE: May 22, 2007  
RE: **2007 Assembly Bill 165**, relating to the transportation of four-year-old kindergarten pupils who attend private schools.

The Wisconsin Association of School Boards (WASB) **supports** Assembly Bill 165.

AB 165 allows school districts that do not offer a 4-year-old kindergarten (4K) program the option of transporting pupils enrolled in a private 4K program.

Under current law, school boards are generally required to provide transportation to and from school for private school pupils who reside both within the school district and at least two miles from school. This requirement applies regardless of the grade in which the private school pupil is enrolled.

AB 165 provides that if a school board does not operate a 4K program, it is not required to transport 4K pupils who attend private schools. Under the bill, a school board could still choose to provide transportation for these pupils but it would not be required by law to do so. Thus, public and private school students would continue to be treated equally.

With escalating fuel costs, transportation costs are consuming an increasing portion of school district budgets. State transportation categorical aids reimburse school districts for only 10 percent of their costs on average. Ninety percent of school district transportation costs are funded by dollars that could be spent in the classroom. In the effort to direct as many dollars as possible into classrooms while meeting revenue limits, school districts are continuing to seek ways to reduce costs.

We ask your support for Assembly Bill 165.

May 22, 2007

To: Rep. Don Pridemore, Chair, Assembly Comm. on Education Reform  
From: Brett Arnold, WCRIS Executive Director  
Re: Assembly Bill 165 K-4 Transportation

Archdiocese of Milwaukee

Association of  
Christian Schools International

Christian Schools International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church  
Missouri Synod  
North Wisconsin District

Lutheran Church  
Missouri Synod  
South Wisconsin District

Wisconsin Association of  
Independent Schools

Wisconsin Conference of  
Seventh Day Adventists

Wisconsin Evangelical  
Lutheran Synod  
Northern Wisconsin District

Wisconsin Evangelical  
Lutheran Synod  
Western Wisconsin District

Wisconsin Evangelical  
Lutheran Synod  
Southeastern Wisconsin District

On behalf of the Wisconsin Council of Religious and Independent Schools (WCRIS), our over 700 member institutions, and 115,000 students and their families, I want to thank you for the opportunity to offer this written testimony in opposition to Assembly Bill 165.

The WCRIS opposition to AB 165 rests on two principles—student safety and equity.

At its core, the transportation of students, irrespective of grade or school attended, is an issue of safety. The strongest curricula, best teachers, and state of the art schools mean nothing if our students, our children, do not arrive safely both to and from school. The state has an interest in and has made a commitment to ensuring the safe transportation of our students. AB 165 steps away from that interest and commitment.

Our collective stake in the safe transportation of our students is confirmed in Article I, Section 23 of the Wisconsin constitution which states, "Nothing in this constitution shall prohibit the legislature from providing for the safety and welfare of children by providing for the transportation of children to and from any parochial or private school or institution of learning." (emphasis added). This interest is not limited to certain grades, nor is it limited to only those situations where private schools and public school districts offer similar programs, or have similar calendars.

Some might say it's not fair, not equitable, to ask districts without a K-4 program to transport K-4 students attending a religious or independent school. We believe equity is in fact a basis for preserving K-4 transportation. True equity would preserve all transportation for families who financially support their public school districts and who, by sending their children to a private school, save Wisconsin over \$1 billion each year, and who ask for and receive little in terms of direct education services from the state or their public school district.

Equity in preserving transportation services is further bolstered by the fact that public school districts receive state transportation reimbursement aid for each student they transport, irrespective of where the student attends school or the grade in which they are enrolled. Thus, the transportation of K-4 students is not an unfunded mandate, though it is clearly an underfunded one.

Lastly, Wisconsin state statutes and administrative code ensure fairness and equity through language which protects public school districts from undue financial burden associated with transporting students enrolled in religious and independent schools. Section 121.55(3), as well as PI-7 of the Wisconsin Administrative Code, allow for districts to offer less expensive parent reimbursement contracts whenever the cost to transport a student becomes "excessive" as defined.

We appreciate your consideration of student safety as well as principle of equity as you debate this important issue. Again we thank you for the opportunity to offer this testimony and would be happy to address any questions you may have.

**Remarks for Assembly Committee on Education Reform**

*Regarding AB 165 – 4K Bussing Reform*

By Representative Donald Friske

*May 22, 2007*

Thank you Chairman Pridmore and Committee members. I appreciate your hearing today and scheduling this legislation for your consideration.

Current law allows for a strange occurrence when parochial school districts may offer four-year-old kindergarten within the same geographic area of a school district that does not offer four-year-old kindergarten. The odd policy occurs because the public school district is forced to provide transportation service to a parochial school for which there is no public school equivalent.

Such a policy was forced in a local school district within the 35<sup>th</sup> Assembly District. In the Tomahawk School District, a local parochial school's four-year-old kindergarten program required the Tomahawk school district to run otherwise un-required runs of the bus fleet to pick up and drop off four year olds.

Wisconsin's mandates on public school districts should be for the provision of like-services. When it comes to transportation, especially in large, rural and low density school districts like those in north central Wisconsin, the State government should take the decisions of public school districts into account when setting forth mandates.

Currently, public school districts have no ability for a fair negotiation with parochial schools. The bill before you today, AB 165, gives some standing for public school districts to work out the transportation needs for both public and parochial schools.

AB 165 changes current law to state that if a public school district does not operate a four-year-old kindergarten program, it is not required to provide transportation for parochial school four-year-old kindergarten programs. The school district may provide the transportation, but it should be on the terms of negotiations with the parochial school.

Thank you for your consideration of this legislation.



## WISCONSIN CATHOLIC CONFERENCE

### **TESTIMONY REGARDING ASSEMBLY BILL 165 Presented to the Assembly Committee on Education Reform May 22, 2007**

Good morning. My name is Kim Wadas, and on behalf of the Wisconsin Catholic Conference, I am testifying in opposition to Assembly Bill 165.

AB 165 would permit local school districts to deny transportation services to children who attend four-year-old kindergarten at religious and independent schools if the public school district does not operate a four-year-old kindergarten program. We request that you oppose this change from current law.

We recognize that some additional expense may accrue to public school districts when they do not operate such programs, but we believe that financial consideration must give way to the safety of school children. It is because the legislature has retreated from the commitment it made decades ago to provide for the safe transport of all children who do not live within walking distance of their schools that public schools find themselves in financial difficulty today. However, four-year-olds are our youngest and most vulnerable students. It is not appropriate to expose these students to potential harm by eliminating their safe ride to school.

Parents who send their children to private schools already save the state over a billion dollars, all the while supporting public schools with their state and property tax dollars. The only major benefit that these families receive from the state is transportation for their children. We do not judge that it is equitable to take that away.

For all these reasons, we urge you to vote against Assembly Bill 165. Thank you.